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PATENT #9

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re U.S. Patent Application)

Applicant: Satoshi Komiya et al.)

Serial No.: not yet assigned)

Filed: herewith)

For: Epitaxial Silicon Wafer)

Examiner:)

) I hereby certify that this correspondence is
) being deposited with the United Postal
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) Patents, Washington, D.C. 20231, on
) February 12, 2002

) Gerald T. Shekleton
) Gerald T. Shekleton Reg. No. 27,466

INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Pursuant to 37 C.F.R. §1.97, a list of documents is disclosed on the attached Form PTO-1449 that may be material to the examination of this application. Listed documents are the cited foreign references and an International Search Report which are enclosed herewith.

Documents for which the supplied date of publication lists the year of publication without the month were published sufficiently earlier than the effective U.S. filing date and any foreign priority date, so that the particular month of publication is not in issue. Pursuant to §609 of the MPEP, it is understood that the month of publication is not required when the particular month of publication is not in issue.

No inferences should be drawn that the attached list represents a comprehensive investigation, or that any material disclosed is equivalent to the subject invention. In addition, none of the documents that have publication dates prior to the priority date of the above application anticipate the invention in this application.

Applicant avers that no art cited herein was cited in a communication from a foreign Patent Office in a counterpart foreign application or, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of this Statement.

The cited document(s) disclose numerous specific features. There has been no attempt to list each and every feature disclosed by each document. The Examiner is requested to review the document(s) and determine the extent of the materiality of the document disclosures with respect to the present invention.

The discussion of any art and the citation of any document(s) herein is not to be construed as an admission that the art or document disclosure is necessarily within the invention field of endeavor, that the art or document disclosure is necessarily prior in time to a particular date which may be relevant to the instant patent application, and/or that the art or document disclosure is otherwise necessarily prior art as defined by the patent law with respect to the instant invention and application.

Also, there is reserved the right to later set forth how the instant invention is distinguished over the disclosure of any document or other art, including the disclosures of the art and document(s) recited herein, that may be cited by the Examiner in rejecting a claim in the instant patent application. The recitation herein of the art and document(s) is not to be construed as an assertion that more pertinent art could not possibly be in existence.

Respectfully submitted,

By Gerald T. Shekleton
Gerald T. Shekleton
Registration No. 27,466

Dated: February 12, 2002

WELSH & KATZ, LTD.

120 South Riverside Plaza
22nd Floor
Chicago, Illinois 60606
Telephone: 312/655-1500